

MRP MOTOR VEHICLE FLEET MANAGEMENT MANUAL

CHAPTER 4

OPERATOR'S SAFETY AND ACCIDENT REPORTING PROCEDURES

1. PURPOSE

This chapter states MRP safety and accident reporting procedures when using a GOV.

2. VEHICLE SAFETY INSPECTIONS

All operators using a GOV for official purposes will be responsible for performing a safety inspection of the vehicle prior to use. The safety inspection will include at a minimum a check of the following:

- a. Vehicle fuel level;
- b. Oil level;
- c. Signal lights, brake lights, backup lights, and headlights (best method to use is "buddy" method, one employee inside vehicle, another one outside);
- d. Horn;
- e. Tire pressure and tread wear (including the spare);
- f. Brake pressure (faulty brakes require greater pedal pressure);
- g. Windows are clean; and
- h. Accident and emergency kits are in the vehicle.

3. OPERATOR'S SAFETY

- a. Following the vehicle safety inspection, the operator must take the following steps to ensure his/her own personal safety:
 - (1) Adjust all mirrors for maximum visibility;
 - (2) See that driver and all passengers are wearing seat belts;
 - (3) Drive within the posted speed limit;
 - (4) Observe all local and State traffic laws;

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- (5) Be alert and drive defensively;
 - (6) Avoid risks (i.e. going through a yellow or red light, trying to turn with another vehicle oncoming);
 - (7) Do not drive while under the influence of alcohol or drugs. Some prescription and non-prescription medications can cause drowsiness; be alert for side effects.
 - (8) Drive with the vehicle headlights on during daylight hours (when weather conditions dictate) to increase driver visibility.
- b. Regular vehicle inspections and maintenance will keep a vehicle in safe operating condition and will increase fuel efficiency. Inspections can provide advance warning of conditions that will need repair, therefore allowing maintenance to be scheduled. See chapter 5 for vehicle inspection policies.

4. ACCIDENT REPORTING KITS

- a. All GOVs used for official purposes will contain the following:
- (1) Form AD-651, Motor Vehicle Accident Report Kit, in the glove compartment. The AD-651 should contain the following forms:
 - (a) SF-91, Operator's Report of Motor Vehicle Accident.
 - (b) CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation.
 - (c) SF-95, Claim for Damage, Injury, or Death.
 - (d) AD-112, Report of Unserviceable, Lost/Stolen, Damaged or Destroyed Property.
 - (e) MRP-75, U.S. Government Motor Vehicle Self-Insured Information.
 - (2) An emergency kit containing the following:
 - (a) First aid kit,
 - (b) Signal flares or reflective triangles,
 - (c) Flashlight,

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- (d) Small hand tools (i.e. screwdrivers, pliers, hammer, tire pressure gauge, ice scraper), and
 - (e) A fire extinguisher (which must be inspected once a year).
- b. GSA motor pool vehicles are equipped with GSA Form 1627, Motor Vehicle Accident Reporting Kit. The GSA Form 1627 contained in GSA motor pool vehicles will be used in lieu of AD-651.
- c. Pressurized containers (i.e., tire sealants, tire inflators, or nonskid spray) are not authorized for use. They have the potential to explode.

5. REPORTING DAMAGES TO GOVs AND ACCIDENT REPORTING PROCEDURES FOR GOVs

Listed below are the required procedures for reporting accidents when a GOV is involved.

- a. The operator will report vehicle damages to a parked GOV which resulted from falling objects, fire, hailstorms, floods, vandalism, civil disturbances, and similar causes, through supervisory channels, to the ASD, Personal Property Section in Minneapolis, on Form AD-112, Report of Unserviceable, Lost or Damaged Property. Forms CA-1, SF-91, and SF-91-A are not required.
- b. When involved in an accident, the operator will:
 - (1) Immediately stop and determine the extent of his/her injuries.
 - (2) Remain in the vehicle, if injured, and there is no threat of danger from explosion or oncoming traffic.
 - (3) Determine if the other vehicle's occupants or bystanders have been injured.
 - (4) Help the injured obtain prompt medical attention. Unless there is immediate danger to the injured party, no attempt should be made to lift or move the injured. First aid can be administered by properly trained individuals.
 - (5) Take precautions to prevent additional accidents by having persons direct traffic or clear the roadway. Signal or road flares will be used to alert traffic.
 - (6) Notify local police of the accident and request a police investigation and report.
 - (7) Provide the other accident party with your name, address, and organizational unit.

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- (8) Remove the Accident Kit from the vehicle and complete Forms SF-91, and Form CA-1, if appropriate. All accident forms, except the CA-1, must be sent, through supervisory channels, to ASD, Personal Property Team. The forms will be filed within seven days after the accident.
 - (9) Obtain the other party's name, address, telephone number, insurance company, driver's license number(s) of all drivers involved in the accident, motor vehicle tag number of other vehicles involved in the accident, and names and addresses of witnesses.
 - (10) Within 24 hours of the accident, notify his/her supervisor, so that a review can be made while evidence and witnesses are readily available.
 - (11) Notify the VAO and provide accident information in order that Form AD-112, can be completed.
- c. The operator will NOT:
- (1) Discuss the accident details with anyone except authorities, make admissions, or take any blame for the accident.
 - (2) Sign any statements concerning the accident except when requested to do so by law enforcement authorities. Immediately notify FMD, Claims and Payment Section in Minneapolis, of the nature and content of any statement that law enforcement authorities request you to sign.
 - (3) Sign any release on behalf of the Government.
 - (4) Encourage any private party to present a claim against the Government, or assist in the prosecution of claims against the Government.
 - (5) Promise or imply that any form of settlement will be made for damages or personal injury, or under any circumstances make a cash settlement.
 - (6) Attempt or promise to compromise a claim for damages or injuries resulting from an accident.
 - (7) Correspond with any claimant, unless specifically authorized by, MRP-BS-FMD Claims Section.
 - (8) Submit accident reports or release forms to any entity without receiving approval from MRP-BS-ASD Personal Property Section.

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6. SUPERVISOR ACCIDENT REPORTING PROCEDURES

- a. After being notified of an accident, the supervisor will:
 - (1) Ascertain the facts regarding the accident by reviewing all required accident documentation.
 - (2) Remind the operator of his/her responsibilities as listed in section 5(c), above.
 - (3) Complete items 72 through 88 (as appropriate) of SF-91; review and sign the form.
 - (4) See that all accident reports are completed and sent to ASD, Personal Property Section with copies to the VAO and the Employee Services Division (ESD), Safety, Health, and Environmental & Security Team (SHEST), within seven days of the accident. The reports will contain the following information:
 - (a) The date and time of the accident;
 - (b) Names of any persons involved;
 - (c) The location (specify street, highway, intersection);
 - (d) The extent of injuries;
 - (e) An explanation as to how the accident occurred;
 - (f) Any actions taken;
 - (g) The approximate amount of damages, if any;
 - (h) The names and addresses of witnesses; and,
 - (i) A copy of the police report determining fault.
 - (5) Verbally report the following types of serious accidents to regional directors/sector program heads and SHEST within the timeframes indicated:
 - (a) A job-related accident involving the fatality of an MRP employee or another party will be reported immediately.
 - (b) A job-related accident involving the hospitalization of an MRP employee or a private citizen will be reported within 24 hours.

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- (c) A job-related accident where the amount of claim for or against the Government is expected to exceed \$20,000 will be reported within 24 hours.
- (d) Accidents that indicate possible misconduct or negligence on the part of an MRP employee will be reported within 48 hours. When employee negligence is suspected, MRP-MBS-ASD-Personal Property Section will refer the case to the Board of Survey.
- (6) Ensure that all accidents are investigated by the police or other appropriate authorities within 24 hours after being reported. Provide a copy of the investigation report to MRP-MBS-ASD-Personal Property Section, the VAO, and the local Collateral Duty Safety and Health Officer (CDSHO). The report will be sent to the CDSHO no later than three days after completion of the investigation.

7. VAO ACCIDENT REPORTING PROCEDURES

- a. When notified of an accident, the VAO will complete and submit Form AD-112 to ASD, Personal Property Section. The following information must be included:
 - (1) The driver's name;
 - (2) The date and time of the accident;
 - (3) License Tag No., GSA (G) No., or Leased (L) No., age and description of the vehicle;
 - (4) The estimated cost of repairs; and
 - (5) An explanation of the accident.
- b. If the vehicle is damaged beyond repair, indicate preference of either GSA or agency disposal.

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8. ACCIDENT REPORTING REQUIREMENTS FOR GSA AND COMMERCIALLY LEASED VEHICLES

- a. Vehicle operators will always request a copy of the accident report from GSA. Send a copy of the accident report, through supervisory channels, to ASD, Personal Property Section in Minneapolis, along with copies of Forms SF-91, AD-112, and any related documents.
- b. Report promptly, (through channels) on Form AD-112 to ASD, Personal Property Section in Minneapolis, any damage to commercially leased vehicles. When employee negligence is suspected, ASD will refer the case to the Board of Survey.

9. EMPLOYEE LIABILITY

- a. Under the Federal Tort Claims Act, a Government employee is entitled to legal counsel and protection from claims and suits of private parties arising from motor vehicle accidents that occur during performance of official duties in the United States.
- b. Operators using GOVs or POVs for "other authorized uses" in a foreign country may be held personally liable for accidents.
- c. Operators using GOVs for official purposes are not required to purchase liability insurance. However, an employee not conducting official business at the time of an accident, may be found financially liable for any damages incurred.
- d. An operator who damages his/her POV while performing official duties must make arrangements for repairs or replacement, per Tort Claims. This may be done through the employee's insurance company or through suits against private individuals. An employee should ensure that his/her insurance policy covers a POV while on official business.
- e. Under the provisions of the Military Personnel and Civilian Employees Act of 1964, employees may submit a claim when the vehicle was subjected to extraordinary risks in the performance of duty. Such risks would include those connected with civil disturbance, common or natural disaster, or efforts to save Government property or human life.

10. BOARD OF SURVEY

- a. ASD has been delegated the authority to conduct a Board of Survey (BOS). ASD appoints a minimum of 10 people in addition to the chairperson and co-chair to serve on the BOS. These individuals must be a GS-11 or higher. The Property

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Management Officer (PMO) or Personal Property Team employee involved in the case under review may not serve on the BOS.

- b. The Board of Survey will:
 - (1) Determine, by a majority decision, whether the employee will be financially liable and the dollar amount of the liability.
 - (2) Refer to the Director, Human Resources Division, all cases where a BOS determination of employee negligence has been made. It will be the responsibility of HRSEU to determine if disciplinary action is warranted.
- c. In determining whether the employee's act or failure to act was negligent conduct, the Board will consider:
 - (1) Whether another employee in the same circumstances could reasonably have been expected to anticipate the risk of loss.
 - (2) Whether the employee, within the limits of the work environment, took reasonable action to avoid the risk.
 - (3) The options available to the employee, including the gravity of the risk, and the likelihood of occurrence.
 - (4) Whether the employee failed to take reasonable action to prevent loss of property under circumstances that he/she should have anticipated. If failure to do so was a material and substantial factor in bringing about the loss, the Board will find the employee liable, and will determine the amount to be charged the employee for the loss.
- d. The PMO or other officials may request that ASD review a case for final determination. ASD will appoint a chairperson and two members to serve on the BOS. All reports and supporting documentation involving loss, theft, damage, or destruction of Government property will be submitted with the request to appoint a BOS. Complete and accurate investigative reports are very important.
- e. The BOS will determine whether an employee should be held financially liable for damages to an official vehicle. The BOS' determination will be based on reported facts.

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- f. The determination of the amount of liability will be based on, but not limited, to the following criteria:
 - (1) The property's recorded value, less reasonable depreciation.
 - (2) The age and condition of the property when lost, stolen, or destroyed.
- g. The BOS will not take action on cases involving Office of the Inspector General (OIG) investigations until the OIG findings are received.
- h. An employee may appeal financial liability decisions of the BOS. Employees may file a written appeal within 30 days to the Director, ASD, for forwarding to the Deputy Administrator, MRP Business Services, for final determination. If appropriate, employees may file an appeal in accordance with negotiated grievance procedures.
- i. Employees held financially liable by the BOS will be billed promptly by Financial Services, MBS, after a notification of liability from the BOS.

11. PRIVATE PARTY LIABILITY

ASD will determine financial liability of private parties for damages to a GOV; secure estimates from the field station, if not previously furnished; and authorize replacement as appropriate.

FMD, Claims and Payments, will be responsible for ensuring that the Government's claim against a private party is collected.

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